

The Review

SPRING 1985

Array of Speakers Visits College

In early September, Sixth Circuit Justice of the United States Supreme Court **Sandra Day O'Connor** was in Lexington to deliver the biennial Judge Mac Swinford lecture, a joint offering of the Kentucky Bar Association and the College of Law. Addressing a capacity crowd in the University's Center for the Arts, Justice O'Connor, in describing the role of prominent Kentuckians on the Supreme Court and in its history, was both instructive and entertaining. The text of her speech will be printed in a future edition of the *Kentucky Bench and Bar*.

Eleanor Holmes Norton, Professor of Law at the Georgetown University Law Center and former chair of the U.S. Equal Employment Opportunity Commission (1977-1981), was the keynote speaker at the annual conference on Women and the Law October 20. A noted expert on a variety of social and economic issues, she spoke on the 20th anniversary of the passage of the Civil

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1984 College of Law Fund Sets New Records

Despite the shortened reporting year used in 1984 to reconcile College and University solicitation schedules, the annual fund set new income records. The total amount raised for all causes, \$324,169.89, represented an increase of 29% over 1983, which was itself a very good year, owing to the commencement of the Cherry Challenge. The number of donors was down a bit, reflecting no doubt the feverish pace of Cherry solicitations during late 1983 and the host of alumni who responded at that time with, in effect, early 1984 gifts.

Gifts made during this annual fund period for the Cherry professorships are reflected in the Dean's Discretionary Fund. The report of that campaign, which ended in the middle of the 1984 Fund year, was contained in the last issue. Given that this is a comprehensive donor list for 1984 and that the previous report listed both 1983 donors

and Cherry donors through July 1, 1984, some donors appear in both reports. The dollar value of their gifts, however, is not added in to both totals: the last report showed separate totals for the 1983 report and the special Cherry campaign and this one simply shows all 1984 gifts. No harm, we thought, in giving individual donors dual mention, so long as we didn't count their gifts twice!

The new giving opportunity initiated in the '84 Fund was the W. L. Matthews, Jr. Memorial, which was established upon his death in September to honor the 1941 graduate and former dean at the request of his classmates. Persons who earmarked gifts for the memorial, which is to be used to create a fourth endowed professorship, are noted in the donor listing with asterisks by their names.

The Mineral Law Center continued to attract significant corporate support, notably from the Ashland Oil Foundation and the Massey Group. It, the com-

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Kentucky Chief Justice Robert F. Stephens '50, left, greets U.S. Supreme Court Justice Sandra Day O'Connor and her husband, John, at Lexington's Bluegrass Field, as Dean Robert G. Lawson looks on. Photo by Stewart Bowman, courtesy The Courier-Journal.

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Array of Speakers Visits College

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Eleanor Holmes Norton, Professor of Law, Georgetown University Law Center.



Dr. William C. DeVries, noted heart implant surgeon, Law Week 1985 lecturer.



Stephen B. Bright '75, Director of the Southern Prisoners Defense Committee, Law Week 1985 lecturer.

Rights Act of 1964. The conference was sponsored by the UK Women's Law Caucus and four other women's organizations; Professor Norton's presentation was sponsored by the Kentucky Commission on Women.

Louisville heart surgeon **Dr. William C. DeVries** spoke during Law Week 1985 at the invitation of the Student Bar Association. His topic was informed consent in experimental surgery cases. Dr. DeVries is currently the only physician in America licensed to perform an artificial heart implant.

UK College of Law alumnus **Stephen B. Bright '75** of Atlanta was the other featured Law Week speaker. He is the head of Southern Prisoners' Defense Committee, an organization which represents indigent defendants in capital cases. A frequent speaker to bar groups on issues relating to capital punishment, Bright has engaged in direct representation of many defendant-appellants. An interesting sidenote revealed during his remarks was that the only other lawyer regularly involved in representing capital defendants in the South (where all of the involuntary executions since 1976 have occurred) is also a UK graduate, Richard Burr '76.

Professor **Tadashi Hanami**, former dean of Sophia University Law School in Tokyo, who this year is a Visiting Professor at Harvard Law School, delivered a lecture Tuesday, April 9th on the topic: "A Comparison of Legal Education and Law Practice in Japan and the U.S." He also met informally with the previous semester's Comparative Labor Law students.



Professor Tadashi Hanami, Sophia University Law School, Tokyo, Japan, Law Week 1985 lecturer, with Professor Alvin L. Goldman.

Law Fund Sets New Records

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pletion of the Matthews Professorship endowment and the creation of new student scholarship funds will be the focus of 1985 appeals.

Charles S. Cassis '63 is owed special thanks for seeing us through the Cherry campaign as Fund chairman. Charles L. Landrum '42 stepped in to play an important role in organizing his law school contemporaries on behalf of the Matthews Memorial after the Board of Trustees authorized its establishment, and for that he is also due a special commendation.

The Lafferty Society, the College's most distinguished gift recognition group, continued to grow significantly in 1984, creating an early 1985 member-

ship total in excess of 120. Because a total roster has not been published in two years, your editors felt it was time to recognize the entire group once again, and that list follows. Persons who have become Lafferty Fellows since July 1, 1984 (the date of the last report) are shown in bold type.

To refresh your memory, Lafferty Society membership requires qualifying for University Fellows designation, which involves a gift—in a lump sum or over 10 years—of \$10,000; or a deferred gift of \$25,000, with at least one-half of the gift or pledge being designated for the College of Law. Further details are available from Deans Lawson and Stevens.

Computers at the College of Law

Alumni Dollars at Work

by Eugene R. Gaetke
Alumni Professor of Law

During the past decade computers have had a major impact upon the practice of law. Lawyers are becoming increasingly familiar with computer usage for word processing, legal research, file management, business projections, time keeping, billing, and other aspects of practice and office management. In fact, a recent poll by the American Bar Association showed that more than 70 percent of the responding attorneys presently utilized computers in their practice and 50 percent indicate plans to acquire new computer equipment in the near future.

at the University of Kentucky College of Law as well. Two years ago the decision was made to purchase a centralized word processing system with terminals servicing the dean's office, the placement office, the *Kentucky Law Journal* and the Mineral Law Center. That system has been used heavily for both administrative tasks and faculty manuscript production.

Two other recent developments, however, have led to increased faculty interest in greater utilization of computer technology in the law school. First, a number of faculty members have spent

use. The exercises have been used heavily in evidence and professional responsibility courses during the past two years with promising results. Student evaluations have been quite favorable, and all professors using the exercises have perceived better student understanding of the materials covered and improved performance on examinations. In fact, the potential for the use of computers in legal instruction has become so evident that a number of faculty members have expressed interest in developing their own exercises to supplement those available from the Center.

In response to this growing interest in computers among the College of Law faculty and as part of a university-wide planning process for computer use during the next five years, Dean Lawson recently appointed a faculty-staff committee to consider the future computing needs of the law school. All of the committee members had at least some experience with computers. The committee discussed ways in which computers could assist in the various areas of the school's responsibility - teaching, scholarship, library, administration, and so on.

The committee concluded that the present centralized word processing

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The nation's law schools are devoting more of their attention and resources to computer technology.

Mirroring this trend within the profession, the nation's law schools are devoting more and more of their attention and resources to computer technology as well. Law faculty and administrators, like practicing lawyers, are recognizing the advantages of computer technology in accomplishing the tasks inherent in their job of educating students and producing quality scholarship. At the same time, many within the law teaching profession are recognizing the obligation of a good law school to produce graduates with some experience and facility with computer equipment.

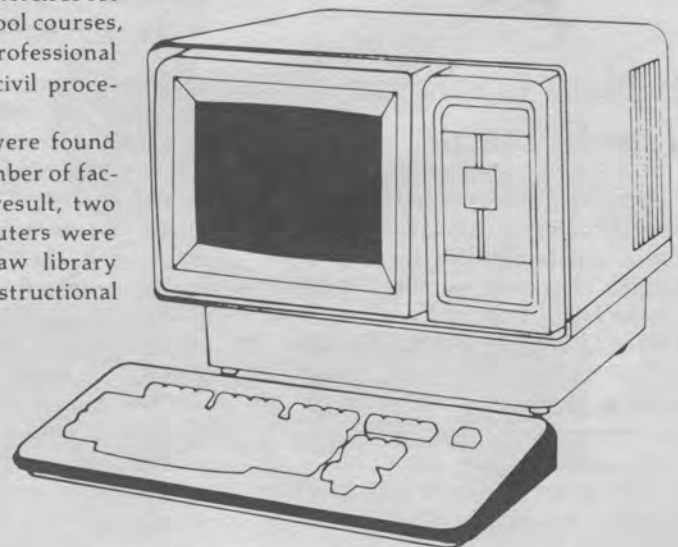
The extent of the commitment to computerization at some law schools has been quite remarkable. At Brigham Young University, for example, the law school purchased 80 personal computers to serve the faculty, staff, and library. The University of Minnesota Law School plans to have more than 70 computers this year, with 50 of those dedicated solely to student use. The law school at Case Western Reserve, hoping to encourage even greater faculty productivity, offers interest-free financing to faculty members wishing to buy home computers identical to those provided at the office.

The growing awareness of the advantages of computer utilization is evident

their own money to purchase personal computers for their teaching, research, and service responsibilities. Their experience has shown considerable benefit in productivity and efficiency resulting from their computer usage.

Second, as part of a faculty review of teaching methodology last year, the use of computers for legal instruction was examined. The Center of Computer Assisted Legal Instruction, formed by the University of Minnesota and Harvard Law Schools, provided software containing various exercises for a number of law school courses, such as evidence, professional responsibility, and civil procedure.

These exercises were found quite useful by a number of faculty members. As a result, two IBM personal computers were purchased for the law library primarily for such instructional



New Scholarships Announced for Law Students

The University Athletics Board, of which the late Professor W. L. Matthews, Jr. was a member, has created a new scholarship for University graduate students in his name. It provides a one-time \$10,000 grant to a different recipient each year.

The 1985-86 recipient is David R. Azbill, a London, Kentucky native, who will graduate from UK this spring with a perfect 4.0 average. In addition to many academic and extra curricular activities, he has served for the past four years as manager of the University of Kentucky Men's Basketball Team.

Azbill was named from among six candidates by a special section committee appointed by University President Otis A. Singletary.

The University instituted a new Academic Excellence Scholarship Program this spring, using proceeds from University Bookstore sales. A total of about \$800,000 was made available campus-wide, approximately \$100,000 of which was allocated to the Medical, Dental and Law Colleges. The application process resulted in 60 continuing and prospective law students being considered, of whom 19 received full tuition scholarships for the 1985-86 year.



A New Look for The Review

Art design students under the tutelage of Professor of Art Robert James Foose are responsible for this new format. They were commissioned during the fall of 1984 by Associate Dean Carroll D. Stevens to update the publication's six year-old look and create a fresh, contemporary layout. We hope you agree that they succeeded!

The camera-ready copy and final layout design was done by a graphic designer in the Publications Bureau of University Information Services.

Computers at the College of Law

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system is well-suited to the administrative needs of the school. Furthermore, that system can be easily upgraded to accommodate additional administrative demands upon it anticipated during the next five years.

Other computing needs within the school, however, warranted a different emphasis in the committee's plan for future computerization. While word processing is one of the most obvious applications of computer technology to the work of law schools, it is certainly not the only one. Many of the other applications are better and more cheaply served by a number of free-standing personal computers rather than a dedicated, centralized word processing system. For example, the apparent interest in computer assisted legal instruction suggests

Personal computers needed in addition to word processing system.

the use of personal computers in the library by students as well as the regular availability of personal computers in certain faculty offices for the development of new exercises. Similarly, the advantages to faculty research and writing resulting from regular computerized research and database management are available most readily through the use of personal computers.

The computer committee, therefore, recommended to Dean Lawson that the law school begin a program of phased acquisition of personal computers for faculty and student use. The immediate student need is to provide sufficient equipment to accommodate the demand for use of the instructional exercises. Two more personal computers were recently acquired for the law library to help in this regard. The committee projected that as many as 15 additional machines might have to be purchased during the next five years to accommodate the likely student demand for instructional computer time.

To assist faculty members in their teaching and research efforts, the committee recommended that each faculty secretary be provided with a personal computer and printer for purposes of word processing of faculty members' work. To accommodate more creative

use of computers by faculty members, such as electronic legal research and database management, the committee also recommended that Dean Lawson acquire a personal computer for every faculty member who can justify its use. Understandably, this acquisition would have to be done over time as law school funds permit.

A substantial first step, however, has already been made. Dean Lawson recently authorized the purchase of personal computers for the faculty secretaries and eight faculty members. This equipment should arrive before the fall semester and provide some basis for deciding the future emphasis to be placed on such technology.

The future of computerization at the College of Law, of course, is not entirely clear. Several issues will need to be discussed. Currently, for example, students are trained in computer assisted legal research through Lexis and Westlaw. Is it also the responsibility of the law school to train students in the use of word processing packages and other software which they might utilize in the practice of law? Should there be courses offered in the use of computers in the management of law offices? How can computer assisted legal instruction best be utilized to accomplish our teaching objectives? To what extent should the development of computer exercises for instructional purposes be viewed as "traditional" legal research and publication when faculty members are evaluated for promotion and tenure? These issues, and others, will need to be addressed as time goes by and computer technology expands within the law school.

It seems certain that the College of Law can benefit greatly from increased use of computers. There is, of course, a catch. As in most areas of institutional improvement, financing is the key to success. The progress that Dean Lawson has been able to make this year is in large part the result of past alumni generosity, for the funds available to him for such innovations today are generally the result of private giving and not the University budget process. With the continued support of its alumni, the College of Law should be able to attain its goal of applying computer technology to its job of educating law students and expanding the boundaries of legal knowledge.

Mineral Law Center Enters Third Year

In January, 1985, the College observed the second anniversary of the creation of the Mineral Law Center. Created by President Singletary in 1981 in response to a recommendation by the faculty and Visiting Committee, it has several publications and services completed or in progress, proving that it will be a valuable resource to those who practice in mineral areas.

The Center is supported by the University and private resources. Gifts from the Ashland Oil Foundation, the Massey Coal Group, Amax Corporation and several individuals have funded an operating endowment, scholarships, and a new journal, the *Journal of Mineral Law and Policy*. David C. Short '67, the director, reports that additional support in the form of a sponsored assistantship has come from the University's Institute for Mines and Minerals Research.

Short, a former private practitioner, assistant (KY) attorney general and regional director of the Office of Surface Mining, U.S. Department of Interior, and Suzanne Fong '82 presently compose the Center's professional staff. Fong, who serves as a research associate, is a former law clerk to Judge Paul Gudel of the Court of Appeals of Kentucky. She is a member of Order of the Coif and holds baccalaureate and graduate degrees from Wellesley College and UCLA, respectively.

Short serves as editor-in-chief of the new *Journal*, ensuring continuity of editorial policy and direction. A staff of students, headed by a faculty-approved board of editors, is working feverishly on the first issue of the *Journal*, which is due out in the summer. It will deal with legal and policy issues relating to mineral and energy production and will provide a forum for addressing environmental, labor, tax and economic matters. An editorial advisory board composed of twenty-one practitioners, scholars and government officials, all experts in their fields, will referee articles submitted for publication. The *Journal* will come out twice yearly; subscriptions may be obtained by contacting the Center (606-257-1161).

The *Kentucky Mineral Law Manual*, of which Suzanne Fong is the general editor, will also render a unique service. Banks Baldwin, the publisher, expects that it will be ready for distribution in late fall, 1985. Designed as a comprehensive handbook for general practitioners, it will contain articles by over 50 authors. These authors were recruited by 11 section editors recognized as leading practitioners in their fields, who were themselves recruited by David C. Short and Rick Thomas, '82. Short and

Thomas originated and developed the project and serve as the book's managing editors. Section editors screen the articles for substantive correctness and practical usefulness before sending them on to the Center, where they are edited for readability, style, format, and substantive consistency with the book's purpose. Coverage will include mineral property issues, governmental regulation of the mineral industry, business considerations in mineral extraction, and marketing activities. "We want it to be the kind of book lawyers keep handy. It will help them analyze problems quickly and know where to go next in solving them," Fong said.

The Mineral Law Center regularly sponsors continuing education programs for the practicing bar. Every fall it holds a seminar devoted to contemporary issues in mineral practice and in the spring there is typically a program more general in scope, sponsored in conjunction with the Natural Resource Section of the Kentucky Bar Association.

In addition to doing a more complete job of teaching practicing lawyers about mineral law matters, the College has upgraded its offerings to students. Now a part of the curriculum are courses in Coal Mining Law, the Taxation of Natural Resources, Mineral law, and seminars on Energy and Environmental Problems.

Class of 1985 *Journal of Mineral Law and Policy* editors (left to right, seated) Allen K. Montgomery and Michael Tucker; (standing, left to right) Joel Morgan and Sharon Morris.



The Best Friend Anyone Ever Had

Robert G. Lawson

I.

It was the spring of 1961. I got a letter from the University of Kentucky admitting me to the College of Law as a transfer student. At the time, I was enrolled as a first-year student in the Law School at Tulane University in New Orleans. At the bottom of the letter was the signature of W. L. Matthews, Jr., Dean of the College. It was just a name.

Some months later, in late summer, I arrived in Lexington a few days before the start of school. One morning, with little to do, I walked across the campus and wandered into Lafferty Hall. Classes were in recess. Students were missing from the building. It was uncommonly quiet. Inside the front door of Lafferty I spotted a bulletin board on the right wall and headed in that direction.

I must have looked a little lost, maybe a lot. From another part of the foyer I heard a pleasant voice: "May I help you?" After identifying myself I got my first "instruction" in the College of Law: "I'm Mary Dunne, the Dean's secretary. I'm pleased to meet you, and would like to introduce you to Dean Matthews. Will you follow me, please?" To say the least I was a little surprised. A whole year in another institution, not a friendly conversation with a single professor, and here, my first day, a meeting with the Dean. She must be kidding.

I may have been a little hesitant. But Mary Dunne rarely left room for doubt in her instructions. Only the boldest of students ever dared to quibble. And bold I wasn't in 1961. So, when she headed down the corridor of Lafferty away from the entrance, I followed—toe to heel, through her office, and into one occupied by a well-dressed man with a slightly red but very friendly face. Of course, Miss Dunne offered a perfectly proper introduction: "Dean Matthews, it is my pleasure to introduce one of our new students, Mr. Robert Lawson." As she left the room, Dean Matthews looked up, raised slightly out of his chair, and extended his hand across the desk: "Welcome to Kentucky".



Dean William Lewis Matthews, Jr. '41 (photo taken circa 1969).

"Welcome to Kentucky." I had visited Kentucky often during my early life, and had spent four years of college in the state. I had heard this simple expression hundreds of times. But never had I heard it quite the way it sounded on this day. Never had I heard it voiced with just enough genuine warmth and sincerity to rob it of all of its perfunctory quality. I remember thinking at the time: "My god, the man is speaking literally. He really is glad to have me in Kentucky."

This was my first encounter with W. L. Matthews, Jr., the best friend I ever had, the best anyone ever had.

II.

"glory is like a circle in the water which never ceaseth to enlarge, 'til by broad spreading it disperseth to nought."

Dean Matthews did not often resort to the words of others to express his own feelings. But he liked this line from Shakespeare a

great deal and used it occasionally. Good deeds usually speak rather well for themselves, he thought. Words too laudatory or too elaborate can easily obscure the significance of such deeds. He would not have wanted to have his contributions overly glorified. "Let them stand on their own merits", he would have said, "for if they are worthy of tribute they will stand rather tall."

I am sure that the life of my friend speaks loudly and clearly for itself. I am sure that mere words can add nothing to its essential significance. And so I have chosen in this dedication to share with you some thoughts of Dean Matthews himself which I found in his papers after his death. Better than I could ever do, they reveal some of his personal qualities which ought not to be lost through the passage of time. The ones I have in mind, those which I so strongly admired, were summarized so very well by one of his former students a few days after his death. The essence of his life could hardly be more eloquently described: "I hope in the end people will say about me what they have said about Dean Matthews — that he was a good and decent man, who lived accordingly, who cared, and whose life made a difference."

III.

I am pleased to have been invited to speak to you today by my former student Bob Brewer and to have been introduced by my colleague Burt Ham. Despite their cordial auspices, however, I think both of them should be absolved of any direct responsibility for what I may say on the subject of Law and Order. By common agreement it surely is the most elusive topic one could address himself to just now. As a matter of fact Bob diplomatically disconnected himself with the substance of these remarks by commenting that he would listen to anything I wanted to say provided it didn't last more than 15 or 20 minutes. Burt was equally adroit in introducing me if you noticed. He said who I am, where I went to school, and the position I hold at the University, but he was properly cautious on the question that surely is uppermost in your minds: Can this fellow say anything that I have not heard or read before on the Law and Order issue?

To be perfectly candid, I doubt that I can.

To be perfectly candid was the only way Dean Matthews knew to be. He was the closest thing to an absolutely honest man I have ever known. He operated totally above-board

every day of his life. Hidden agendas, intrigue, and deception were foreign to his way of thinking and acting. He looked for the truth in matters big and small and was never afraid of what he might find. I remember once, at the outset of an important investigation I had been asked to do, commenting to him about how difficult it is at times to deal with the unvarnished truth. He knew I was looking for a reaction: "My advice is fairly simple. Look under every stone. It's always easier to deal with the unvarnished truth than to worry about what's left under the untouched stone."

He was no less honest in his assessment of himself and the institution in which he spent all of his professional life. The professional world he occupied, that of legal education, certainly has a fair share of imposters. Otherwise, why is every other law school in the bottom half of the country the so-called "Harvard of the South?" In all the years I knew him I never once detected in Dean Matthews any urge to apologize for where he had been or what he had done:

I should hope very much that a good history of this law school will be written someday and that all of the alumni would have an interest in reading it. I should hope also that it will be written by an historian entitled to draw serious conclusions, from his perspective and not from mine. I would not be surprised, however, if he should find that the College over many years has been a lively, challenging and constructive insti-

tution, worthy of the best efforts of all who have ever had anything to do with it.

He was completely content with himself and never sensed a need to pretend to be anything other than what he was. Of all the things that could be said about him, the one he would most like to hear would be this: He was not an imposter.

IV.

I often wondered what made him like he was. Was he influenced significantly by the fact that he lived through the two great events of this century? Born in 1918 he came of age during the Great Depression. During this period his father was a partner in and operated the Bowling Green Business University. Only rarely did he reminisce about this part of his life. I remember him talking about experiences he had during the summertime in the 30's, traveling the dusty backroads of Mississippi, looking for students for his father's institution, and experiencing firsthand some of the consequences of cultural and economic deprivation. Perhaps it was here, or along some other dusty road, that he came to appreciate the true significance of education and to believe, as he did, that the doors to a better life had to be somehow opened wider for everyone.

By the time World War II arrived he had finished college, completed his legal education, and commenced graduate study at the University of Michigan. As it had done to millions of others, the war interrupted his

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The U.K. law faculty in 1948-49, when W. L. Matthews was a young teacher. From left to right, back row, are Maurice Culp, Frank Murray, Elvis J. Stahr, Jr., Roy M. Moreland and Hubert E. Nelson. Seated are Dorothy Salmon, Paul Oberst, Alfred B. McEwen and Matthews.

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life in a big way. In April of 1942 he enlisted in the Air Force as a private, promptly entered officers' candidate school, and in due course earned a second lieutenant's commission. He got assigned to a bomber group in England and served there until the Allied invasion of France in June 1944. A few days after the invasion he moved to the shores of Normandy to engage in combat intelligence operations, traveled across France into Belgium as a part of a support unit for Patton's Third Army, participated in the celebrated Battle of the Bulge, and finally advanced across Germany before war's end. In all he saw 20 months of active service in Europe, won the Bronze Star and six campaign stars, completed his service with the rank of Major, and experienced the lows and highs of that historic period. He lived through the buzz bomb attacks on England and experienced firsthand the liberation of nations of people who had suffered a total loss of their freedom.

Surely his values were shaped by the experiences of these two important periods of his life. Not too long after the end of the war he came to the University. In the years immediately thereafter, he spoke often to civic organizations, professional groups, and students. And in his remarks there surfaced a sense about fundamental values that ultimately became one of his great strengths and attributes:

You should be optimistic, for you live in a free country where it is possible to say and do what you think best. You are free to love, to work, to produce, to worship, to be somebody.

This unrestricted right to learn, to explore, to investigate, to follow an interesting and provocative idea as far as our minds will take us, is the key to our progress, both scientific and intellectual. We live in a divided and unsettled world during a time when the really great problems are so complex that we can hardly evaluate them, much less do anything about them. I think it helps, nevertheless, to simplify the role we can play by remembering what it is about our existence that we want to preserve at all costs. I would put the freedom of the individual's right to learn very high on the list.

High on his list of things to be preserved at all costs was a considerable group of other basic values — the right to speak out, the right not to speak, the right to be different, the right to conform, the right to shape your own life, the right to pursue your own legitimate interests, the right to be somebody, the right to be nobody, and so on.

About such things as these he was a man of uncommonly strong convictions, never feeling the need to prove his commitment, always secure in knowing he would do whatever was

necessary to preserve them. During the last couple of years of his tenure as dean, his commitment to fundamental values was tested almost daily. A new war had arrived on the scene, this one not so popular as the one in which he had served. The campuses of America were afire politically and the law schools of the country came in for a share of the turmoil of the times. As most alumni know, the College of Law then under his direction was no exception.

Seemingly, every unpopular cause to surface in the state of Kentucky gravitated in some form to the College. Certain faculty members in the service of the College showed up as often in the courtroom as they did in the classroom. Neither the organized bar, the political establishment, nor the college's alumni thought well of this development, particularly after the governor of Kentucky and the president of the University found themselves in federal court under cross-examination by members of the law faculty. Disagreement

over the propriety and wisdom of such activities developed inside the school. The voices of the alumni and others grew louder and more hostile. As head of the College Dean Matthews was expected by both friend and foe to do something. And he did.

He explained to anyone who would listen that membership on the faculty of a state institution does not deprive an individual of any of his fundamental rights. He appeared before a local grand jury to defend the actions of his most activist professor. This individual, he explained, performed his faculty duties superbly and had every right on his own time to exercise the privileges possessed by a member of the legal profession. He made this defense whenever and wherever necessary, not because he believed in the causes, strategies, or motivations of the activists of this day, for in many instances he did not so believe. He acted out of conviction for fundamental values. The individuals in question had a right to pursue legitimate political



In this 1965 photo, then Dean Matthews, right, escorts Chief Justice of the U.S. Supreme Court Earl Warren (left) into the Courtroom, to begin the building dedication program. UK President John Oswald is shown at rear.

interests and objectives and to exercise the privileges of free men in a free society. To use the words of my friend, he knew "what it is about our existence that we want to preserve at all costs."

V.

When I left practice in Bowling Green and went back to the University to teach in 1947, the first course I taught was *Future Interests*. In those days our student body was made up almost entirely of World War II veterans, many of whom were contemporaries of mine in age and experience. The first few weeks of this course were heavy going and I did well to stay one case ahead of the class. After about a month I decided it was time to assess the situation so I called in one of the better students and asked him directly: "How does the class feel about *Future Interests*?" He closed the door to my office and said, "We like you. You are patient and enthusiastic." I puffed up a little, and then he said, "Besides, we know there are only two or three men in the country who know anything about *Future Interest* and it's not your fault you aren't one of them."

It was so very, very easy to enjoy this special man. He had few if any of the imperfections that normally accompany the human condition — no malice in his heart, no arrogance in his character, and not a trace of superiority in his demeanor. He looked for the best in others, understood and tolerated their worst, and liked them for whatever they happened to be. I believe he had the most consistent disposition I have ever seen in a person. He had a marvelous sense of humor, found it easiest of all to laugh at himself, and could make anyone feel at ease in the most stressful of circumstances. He was absolutely delightful company.

If ever there was a person capable of finding a silver lining in every dark cloud, it was Dean Matthews. He lived in a permanent state of optimism. And instead of a world full of fear, he saw a world full of hope:

The brave new world we hear so much about these days isn't a negative place but a positive one. It isn't a world to be destroyed by the atomic bomb, but one in which all of us can profit by what science can give us. It isn't a world in which there is not a place for the individual and his enterprise, but instead one where all the people can increase their economic benefits. It isn't a world without classical music and art but rather one to which the modern music has been added. It isn't a place of limited existence but rather one where ability, intelligence and efficiency pay off as they always have. It isn't inhabited by strange people either, but by us.

We will never solve the problems of this new world by gazing out and calling what we see a wasteland. We must see the future for what it is — an opportunity to produce, to learn, to do things, to be somebody, to live — all of us — together!

If ever anything dampened his enthusiasm for living, it was not perceptible to the naked eye. It simply never occurred to him to contemplate the possibility of having a "bad day". So long as I live I will never forget one experience I had with him.

It occurred about five or six years before his death, following a heart attack he had suffered. An unusual and rare reaction to medication threatened him with a loss of his toes. He had been on his back for weeks, waiting for his toes to heal, suffering enormous pain, and having no valid reason to hope for anything but the worst. I sat beside his bed and talked with him late one evening after he had been told that amputation would have to occur the next day.

There was no despair in the room. He talked of learning to walk again, if necessary. And besides, he said, anything can happen between now and tomorrow. How could he be so optimistic in the face of stark reality? I wondered then. I understood after finding in his private papers a speech he had given to some students twenty years earlier:

Isn't it remarkable that things never get so bad that we cannot see some ray of

hope? The news from home and abroad may be discouraging, our daily existence may become impossibly complicated, we may not know how the future is going to turn out. Our innate tendency, however, is not to give up hope. The statement that hope springs eternal in the human breast is not just a piece of literary imagination, but an accurate observation as to how people really are. Every so often in our lives we need to experience some real hope. We need to look ahead and be encouraged by what we see; the days when we do experience a feeling of hope are set aside in our memory and long remembered.

He had seen a ray of hope. The next day was indeed a better day. Let's wait one more day before amputation, advised the physician. And then there was another good day, and another, and yet another, until the storm had passed. Hope springs eternal in the human breast. He believed it and lived it. It was one of his most admirable qualities.

VI.

I remember my last encounter with Dean Matthews, just as vividly as I remember the first. Almost twenty-five years had passed. This time he was waging the toughest battle of his life, against overwhelming odds. Victory was not in the cards. His wife Carol—strong, faithful, loving—had been at his side all the way. I had seen him often during this illness. On this occasion Carol was sitting by his bed when I arrived. She whispered to tell him I had come.

As he had done so long ago in Lafferty Hall, he looked up, smiled through a lot of pain, and greeted me by name. Time was really running short by now. And though he knew the end was near, the warmth and sincerity I had seen twenty-five years earlier was still there, shining as bright as ever. In his eyes there was no fear of what was yet to come, and on his face there was no regret for what had passed. That's the way it is, I'm sure, at the end of a life lived to the fullest by a good man. That's what he did. That's what he was. Indeed he was a good man.

Alumni News

College of Law Graduate Elected to U.S. Senate

A. Mitchell McConnell, Jr. '66, former Jefferson County Chief Judge Executive, defeated incumbent Walter D. Huddleston in the November, 1984 election to become only the second graduate of the College of Law to serve in the U.S. Senate.

McConnell is a former student body president at the University of Louisville and the Student Bar Association president at UK. Following his law school graduation, he served as chief legislative assistant to former U.S. Senator Marlow Cook. He was later appointed deputy assistant U.S. Attorney General, in which capacity he developed legislative positions for the U.S. Department of Justice and directed its legislative staff.

McConnell was named the Outstanding Young Man of the Year in Jefferson County in 1974 and throughout Kentucky in 1977. He has been a pioneer in national and statewide efforts to address the needs of local government and communities.

McConnell's victory was by a 5,100 vote margin statewide. He was the only Republican challenger in the nation to defeat a Democratic incumbent.

Senator McConnell was sworn into office January 3, 1985. That same week



Senator A. Mitchell McConnell, Jr. '66 (R. Ky.).

he was selected as the only freshman member to serve on the Senate Intelligence Committee. He has also been appointed to the Judiciary and Agriculture Committees.

In recognition of his accomplishment, the Law Alumni Association Board of Directors approved a resolution naming him a Distinguished Member of the College of Law Alumni Association.

Robert J. Turley '49, a partner in the Lexington law firm of Turley and Moore, has been named a Fellow of the American College of Trial Lawyers. The College is a national association of 4,050 Fellows in the United States and Canada. Membership is by invitation of the Board of Regents.

Laramie L. Leatherman '53, a past president of the Law Alumni Association, was honored for his outstanding service to the Kentucky Council on Economic Education at the Council's annual banquet held in Louisville in early April. He

has been instrumental, along with the Gheens Foundation, in the implementation of programs to help teachers develop classroom units for the instruction of young people in the workings of a free economy.

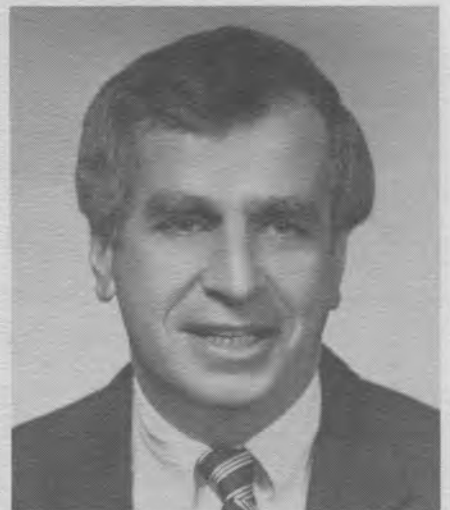
J. R. Bruner '54, recently retired from the Judge Advocate General Corps of the U.S. Navy after 30 years of service. He has been appointed an assistant professor of criminal justice at East Carolina University in Greenville, North Carolina.

Dianne McKaig '54, a member emeritus of the College of Law's Visiting Committee and a former vice president of Coca-Cola, U.S.A. has announced the relocation of her law firm, Jones and McKaig, to 1819 H Street, N.W., Suite 800, Washington, DC 20006.

Col. Ronald B. Stewart '59 last fall became the first military jurist to be named the outstanding special-court judge in the United States. Stewart, an Army court-martial judge, received the 1984 Franklin N. Flaschner Award from the National Conference of Special Court Judges. The award is named for a late chief justice of the District Court of Massachusetts.

Stewart is the Army's most experienced trial judge, with 13 years on the bench. He is a native of Williamsburg, to which he plans to return after retirement from the service next spring.

Peter Perlman '63, Lexington, is serving this year as president-elect of the Association of Trial Lawyers of America. He will automatically succeed to the presidency in mid-1985.



Peter Perlman '63, president-elect, American Trial Lawyers Association 1985-86.

The Association has 57,000 members in the United States, Canada, Puerto Rico and other countries. Perlman, who has had many positions of responsibility within the Association, is also a found-

ing member of the Trial Lawyers for Public Justice, a national public-interest law firm in Washington. He is a past president of the Kentucky Academy of Trial Lawyers. He is a frequent speaker at continuing education programs, and his articles are published in a host of trial journals.

George E. Stigger, III '63 is vice president and general counsel of the Perma Mining Corporation in Colorado Springs, Colorado.

Philip Taliaferro '63 has been reappointed by Governor Martha Layne Collins to the Kentucky Personnel Board. She is the fourth consecutive governor to appoint him to the board, which he has chaired since 1973. Taliaferro is a senior partner in Taliaferro, Smith, Mann, Wolnitzek & Schachter in Covington.

Joe C. Savage '64, William R. Garmer '75 and Robert L. Elliott '74 have announced the formation of the law firm of Savage, Garmer and Elliott, P.S.C. Their offices are at 300 West Short Street, Lexington, Kentucky 40507.

Harry M. Snyder '66, executive director of the Kentucky Council of Higher Education, received a Distinguished Service Award from the Education Commission of the States (ECS) at the Commission's 1984 annual meeting held in St. Paul, Minnesota.

The award is given to persons who have made significant contribution to the Commission. Other recipients include Congressman William Ford of Mich-

igan, Frank Cary, IBM Corporation, Arizona Senator Anne Lindeman and Georgia Superintendent of Schools Charles McDaniel.

Snyder received the award from Delaware Governor Peter S. duPont IV.

Sidney B. Douglass '68, former judge of the Harlan Circuit Court, has opened an office for the general practice of law at 101 Central Street, Harlan, Kentucky 40831.

Larry S. Roberts '69 has joined the law firm of Fowler, Measle and Bell, Lexington. He is formerly the Commonwealth Attorney of Fayette County.



E. Andre Busald '71, president of the Kentucky Academy of Trial Attorneys 1984-85

E. Andre Busald '71 was recently elected president of the Kentucky Academy of Trial Attorneys. He is also presently serving as president-elect of the newly formed Northern Kentucky Bar Association, which he will head in 1986.

Fred E. (Bo) Fugazzi, Jr. '72 has joined the Lexington office of McBrayer, McGinnis, Leslie & Kirkland as a partner.

Andrew T. Coiner '83 and Jo Ann Alexander '84 are also associated with the firm.

Thomas L. Osborne '72 and his father, former Chief Justice of the Kentucky Court of Appeals and Circuit Judge for the 42nd Judicial District **Earl T. Osborne '50** have co-authored a popular practice aid entitled *Trial Handbook for Kentucky Lawyers*. It is published in the Kentucky Practice Library and will be updated by annual pocket-part supplements.

Reuben G. Walker, Jr. '73 and Alison Lobb Milby '76 practice in Richmond as members of the firm of Walker, Milby & Baird, P.S.C.

Stephen D. Milner '74 has become associated with the Lexington firm of Landrum, Shouse & Patterson. He is a former assistant Fayette County attorney.

Steven Earl Anderson '75 has announced the opening of a new law firm by the name of Steven Earl Anderson & Associates, P.C. Its offices are located at 36 West 44th Street, Suite 500, New York,

(Continued on page 12)



On April 12, the College sponsored a luncheon for members of the ABA reaccreditation committee and officials of the Law Alumni Association. Pictured here left to right are Professor Marjorie Knowles, University of Alabama School of Law, J. D. Todd, a practitioner from Greenville, S.C., Jennifer B. Coffman '78, vice president, Law Alumni Association and Professor Robert Nissenbaum, of the Cleveland Marshall College of Law of Cleveland, Ohio. A full account of their visit and findings will be carried in the next issue of the Review.

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NY 10036 and 1351 Washington Boulevard, Suite 2000, Stamford, Connecticut 06902.

George L. Seay, Jr. '75 and **Joseph J. Zaluski** '75 have become members of the firm of Wyatt, Tarrant & Combs, and are resident in the firm's Frankfort office. The firm recently announced the election of **Kevin J. Hable** '78, **Janet G. Marcum** '78 and **Joseph H. Terry** '71 to partnership. **Barbara A. Foster** '78, **M. Holliday Hopkins** '84, **George J. Miller** '84, **Richard V. Murphy** '76 and **Jeffrey N. Quinn** '84 are newly associated with the firm, in its Lexington office.

Walter W. May '76 has established an office for the general practice of law at Suite 210, First National Building, Lexington, Kentucky 40507.

William J. Gallion '76, **Pamela W. Bray** '76, **Ramond M. Edelman** '77 and **Michael H. Baker** '77 have formed a partnership for the general practice of law to be known as Gallion, Edelman, Baker & Bray. They have offices in Lexington, in the First National Building and on Main Street in Lawrenceburg.

Larry F. Sword '76 has relocated his practice to 201 American Federal Building, Somerset, Kentucky 42501.

Susan Wanat '76 is supervising attorney for the Mid-American Legal Foundation in Chicago. The Foundation is dedicated to support of the American free enterprise system.

Kathleen E. Voelker '77 is Deputy Chief of the Felony Trial Division of the U.S.



J. Vaughan Curtis '78, with Dean Robert G. Lawson and Carroll M. Redford, Jr., Law Alumni Association president, 1984-85, as the doors open at the 1984 Homecoming festivities at the Lexington Marriott Resort.

Attorney's Office in Washington, DC. She is responsible for the training and supervising of lawyers assigned to that office.

Edward J. Buechel '77 has been elected to the partnership of Dinsmore & Shohl, a Cincinnati law firm. Buechel's practice is in the tax area.

Steve Miller '78, an attorney in Owenton, recently took office as president of the Kentucky Jaycees.

John S. Sawyer '78 has become a partner in the Lexington office of Greenebaum Doll & McDonald.

Jack F. Robinson '79, a Franciscan Friar, proposed his solemn vows December 3 at St. Francis Seraph Church in Cincinnati, provincial headquarters for over 300 Franciscans of the Order of Friars Minor, St. John the Baptist Province.

Friar Robinson's ministry has led him to Sacred Heart Parish, Farmington, N.M., St. Catherine Indian School, Santa Fe, N.M., and he is currently a candidate for the Master's of Divinity Degree at Catholic Theological Union, Chicago, Illinois. He will be ordained to the priesthood next year.

Darlene Y. Ross '79 has become a partner of the firm of Brannen, Wessels & Searcy in Savannah, Georgia.

Roy Fugitt '80 has announced the opening of an office for the general practice of law at 50½ South Main Street, Winchester, Kentucky 40391.

Julie Muth Goodman '80 has become associated with the Lexington firm of Miller, Griffin & Marks, P.S.C. She was formerly with the special prosecution division of the Kentucky Attorney General's Office.

John E. Hinkel, Jr. '80 has become a partner of the firm Fowler, Measle & Bell. **Judge B. Wilson II** '81, **T. Bruce Bell** '83 and **Roger R. Cowden** '82 have become associated with the firm.

William F. Rigsby '80 has become a partner of the firm of Bulleit, Kinkead, Irvin & Reinhardt, Lexington. **Gina A. West** '77 has become an associate of the firm.

William Lewis Collins '81 has become a foreign service officer with the U.S. Department of State. He is currently stationed in Bombay, India.

Leon Shadowen '81, who recently received an LL.M. in Taxation from New York University School of Law, is now clerking for the United States Tax Court in Washington. The judge for whom he works is the Honorable Edmond G. Parker.

David A. Warmbold '81 is a patent attorney for the Joy Manufacturing Company in Pittsburgh, Pennsylvania.

Theodore J. Berge '82 has joined the staff of Authur B. Hancock III's Stone Farm, Paris as business manager and general counsel.

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Alumni Respond to Self-Study Inquiries

Over 1,100 alumni completed the questionnaire sent to law school graduates last October in connection with the seven-year inspection of the American Bar Association and the Association of American Law Schools. The faculty self-study committee conducting the survey was overwhelmed by the alumni response, which evidenced a widespread concern about the future of the school.

The data supplied was relied on extensively in drafting the self-study report to the inspection team, and will be invaluable in making program and curricular decisions in the future. A brief summary of the results follows.

Importance of courses

The questionnaire asked respondents to rate courses two ways — importance to the respondent in his or her professional development and importance to a student now entering law school. As the chart indicates, the leaders in both categories are civil procedure, evidence, and contracts (scale of 1-3)

Important to You

Civil Procedure	2.76
Evidence	2.69
Contracts	2.67
Torts	2.52
Litigation Skills	2.51
Legal Bib.	2.42
Corporations	2.40
Property	2.38
Commercial Law	2.35
Remedies	2.31

Important To Law Student

Civil Procedure	2.85
Evidence	2.76
Contracts	2.73
Litigation Skills	2.65
Torts	2.63
Legal Bib.	2.54
Commercial Law	2.53
Corporations	2.48
Professional Resp.	2.47
Property	2.40

Importance of extra-curricular experiences

Alumni were asked to rate extra-curricular experiences both by impor-

tance to the respondent and importance to today's law student. As the chart indicates alumni view clerking for a law firm to be the most valuable extra-curricular experience.



Activity	No. of respondents participating	Importance to respondent	Importance to student
Clerking for Law Firm	596	2.65	2.51
Clinical Experience	464	2.43	2.22
Kentucky Law Journal	395	2.37	2.02
Moot Court	805	2.28	2.33
Judicial Clerking	191	2.28	2.05
Client Counseling	105	1.83	1.70

The role of the law school in skills training

Alumni were asked to rate the importance of certain lawyering skills. The answers indicate all listed skills are deemed at least somewhat important.

Legal analysis	2.78
Reading legal materials	2.72
Legal writing	2.69
Trial skills	2.44
Interviewing	2.34
Counseling	2.26
Negotiation	2.06

The respondents further indicated that the only skills substantially acquired in law school are legal analysis, reading legal materials, and legal writing. (Respondents who graduated in the last six years ranked trial skills at 2.02, reflecting the recent development of the litigation skills course and their perception of its value).

Reading legal materials	2.60
Legal analysis	2.48
Legal writing	2.22
Trial skills	1.71
Interviewing	1.15
Negotiation	1.09
Counseling	1.09

The responses reflect a consensus that the law school should offer more skills training. On a scale of 1 (shouldn't teach), 2 (should offer some training) and 3 (should offer extensive training) the results are:

Legal analysis	2.74
Legal writing	2.73
Reading legal materials	2.68
Trial skills	2.63
Negotiation	2.17
Interviewing	2.05
Counseling	2.04

New courses and programs

Respondents were asked for their opinions about a number of course and program proposals. The only proposal drawing a majority of positive responses is "an experiential education program in which 3rd year students intern for credit and pay in law offices." 517 persons responded favorably to this proposal, 269 were neutral, and 180 were opposed. While the law school is definitely interested in such a program, current ABA guidelines forbid programs in which both pay and credit is received.

In Memoriam

George T. Ross '21, chairman of the Board of Directors of State Bank and Trust Company, Richmond. He was Madison County Attorney from 1926-29 and president of the Kentucky Bar Association 1961-62. For a number of years, Ross had served as legal counsel to the Eastern Kentucky University

Board of Regents. The law library on that campus is named in his honor.

A Fellow of the American College of Trial Lawyers, Ross was an Army veteran of World War I. During World War II he served in the Judge Advocate General's Office in the Pentagon and the Pacific Theatre. He had by the time of his discharge attained the rank of major.

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(Continued from page 12)

Julia Morris '82 is now living in Nashville. She is with the Office of General Counsel of Vanderbilt University.

John A. Weninger '82 has opened an office for the general practice of law at 5929A Fredrick Square, Dallas, Texas 75225.

Carolyn B. Wetterer '82 and **Michael V. Brodarick '82** have become associated with the Louisville law firm of Morgan Pottinger.

Linda Ronan Brown '83 practices with the Fishman Group in Bloomfield, Hills, Michigan. She represents management in labor law, employment discrimination and employee relations matters.

Bernard F. Lovely '83 has become associated with the Lexington law firm of Vimont & Wills.

Tim Crawford '84, a staff attorney with the U.S. Department of Interior, Office of Field Solicitor in Knoxville, Tennessee, has an article appearing in the recent issue of the *Natural Resources Journal*, published by the ABA. It is entitled "The Problems of Causation in Private Legal Remedies for Damage from Acid Rain".

Eleanor H. Leonard '84 has opened a law office in Lexington. She is in Suite 600 of the Security Trust Building.

In Memoriam

(Continued from page 13)

Granvil W. Smith '21, San Antonio, Texas.

Oliver Walter Cain '24, former Paintsville city attorney and Johnson County school superintendent. He was a former staff attorney for the U.S. Civil Service Commission and a veteran of World War I.

William B. Gess '30, a founder of the Lexington law firm of Gess, Mattingly, Saunier & Atchison, a member of the bar for more than 50 years.

A Fayette County native, Gess was president of the Kentucky Bar Association in 1944 and was the director emeritus of Second National Bank and Trust Company. He had been semi-retired since 1983.

M. J. See '34, Louisa. See was a former attorney general of the trust territories of the Pacific Islands in the 1950s and

early 1960s. He was a past Lawrence County attorney.

Harold Kelly Clore '41, a district judge in Bell County, and the former attorney for the Kentucky Unemployment Compensation Commission and the U.S. Veterans Administration. He served 26 years as a U.S. magistrate.

John R. Gillespie '49, a Fellow in the College of Law Lafferty Society and a partner in the Ft. Lauderdale, Florida law firm of English, McCaughan and O'Bryan.

Denver Adams '50, Hyden. A senior partner in Adams and Brashear law firm, he served as Leslie County attorney 1954-1958 and was a former chairman of the Republican Party in that county. He was regarded as a leading expert in federal black-lung claims and at the time of his death was a director of the Hyden Citizens Bank.

Scott Collins '59, Prestonsburg.

O. L. Mielke '67, Houston, Texas.

Active CLE Schedule Planned

John K. Hickey, Director
Continuing Legal Education

As the first education year under the Mandatory Continuing Education Rule ends on June 30, 1985, the Office of Continuing Legal Education has plans for an active schedule for 1985-86.

Under the Supreme Court Rule each member of the Kentucky Bar, not exempted, must attend a minimum of (15) fifteen hours of approved CLE each educational year - July 1 - June 30.

The Kentucky Bar Association is required to present at least seven general courses on specified subject matter and other subjects relating to improvements in basic legal skill. To complement this effort a greater number of seminars offered by our Office of Continuing Legal Education will be planned at an advanced level. This will allow members of the Kentucky Bar to attend a number of more sophisticated programs without having to travel to out of state locations.

The following is the tentative approved schedule:

1985

July 19-20	Estate Planning
August 16-17	Bankruptcy Law
*August 30	Evidence & Trial Practice (Paducah)
*September 6	Evidence & Trial Practice (Ashland)
September 20-21	Public Service Commission Practice
*October 4	Evidence & Trial Practice
October 18-19	Federal Practice
*November 1	Evidence & Trial Practice (Ft. Mitchell)
**November 1-2	Mineral Law
November 15-16	Tax Advantaged Real Estate Transactions
December 6-7	Business Litigation

1986

January 17-18	Prejudgment & Post Judgment Collections
February 14-15	Securities Law
*February 28	Evidence & Trial Practice (Louisville)
March 14-15	Legal Issues for Bank Counsel
**April 11-12	Environmental & Natural Resources Law
May 1-2	Horse Law - Syndications
May 14-23	Trial Advocacy (Intensive)
June 20-21	Health Services Law

*Regional Programs

**Presented by the Mineral Law Center, University of Kentucky

Faculty News

John R. Batt, Professor of Law. PUBLICATIONS: *The Child's Right to a Best Interests Psychological Development Under the Declaration of the Rights of the Child* . . . 2 *Annual of Human Rights* 1 (1985); Review of *Psychiatry for Lawyers* (by Andrew Watson); *Psychiatry and Law*, Spring 1985.

Carolyn S. Bratt, Professor of Law. HONORS: Selected as one of five UK faculty members to receive the University of Kentucky Alumni Association's 1985 Great Teacher awards. Her nomination was made by students in the College of Law. ACTIVITIES: Chair, Kentucky Commission on Women's Legislative Task Force. Member, Board of Directors and Secretary-Treasurer, Kentucky Research and Education Institute for Women.

Rutheford B. Campbell, H. Wendell Cherry Professor of Law. PUBLICATIONS: An Open Attack on the Nonsense of Blue Sky Regulation, 10 *The Journal of Corporation Law*, 553 (1985). PRESENTATIONS: Securities Issues Arising in Coal and Oil and Gas Acquisitions and Dispositions, Ninth Annual Seminar on Mineral Law, University of Kentucky College of Law, October 26, 1984; Horse Syndications, Seminar on Securities Law, University of Kentucky Office of Continuing Legal Education, February 12, 1985; Financing Bank Holding Company Acquisitions: Legal Constraints and Practical Options, Seminar on Legal Issues for Bank Counsel, Office of Continuing Legal Education, University of Kentucky College of Law, March 15, 1985.

Eugene R. Gaetke, Alumni Professor of Law. PUBLICATIONS: Refuting the 'Classic' Property Clause Theory, 63 *N.C.L.R.* 4 (1985); Separation of Powers, Legislative Vetoes and the Public Lands, 56 *U.Co.L.R.* 3 (a natural resources symposium issue).

John H. Garvey, Alumni Professor of Law. PRESENTATION: Recent and Future Developments Under the Religion Clauses, 1985 Annual Meeting, Association of American Law Schools, Washington, D.C.

Kenneth B. Germain, Alumni Professor of Law. PUBLICATIONS: The Thirty-Seventh Year of Administration of the Lanham Trademark Act of 1946, 74 *Trademark Report* 469 (1984) (co-authored by S. Weinberg); Book review (of J. T. McCarthy *Trademarks and Unfair Competition*, 2d ed. 1984), 34 *Catholic U. L. Review*

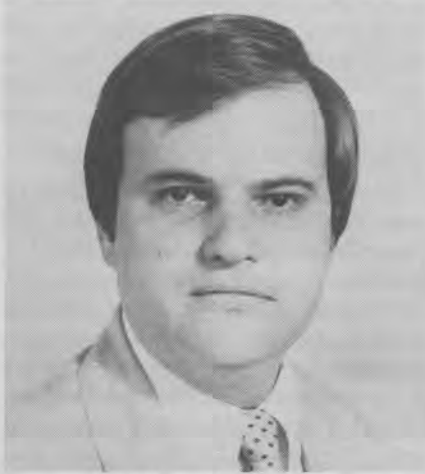
(Continued on page 16)



Drawing by Tom Stipanowich

Can you name these esteemed members of the College of Law faculty whose profiles graced the posters announcing the 1985 Libel Show? They are, left to right: Ken Germain, John Garvey, John Batt, Paul Van Booven, Willburt Ham and Robert G. Lawson.

Prison Internship Program Upgraded



G. Edward Henry II

Following a period of several years' operation as a clerk-for-pay program, the internship positions at the Federal Correctional Institute-Lexington have been reorganized under faculty supervision and assigned three hours' academic credit.

The program is designed to provide basic legal service in non-fee generating civil matters to inmates at the minimum security facility. Legal problems with special instructional value are selected for special attention by students, who participate in the program as a skills-building exercise. A maximum of five students are enrolled each semester under the tutelage of Adjunct Professor of Law G. Edward Henry II. Henry, an experience practitioner in the area of prison law as a result of past work for the Kentucky Department of Corrections, inaugurated the program in January, 1985.

The internship program is underwritten by a grant from the U.S. Department of Justice Bureau of Prisons.

(Continued from page 15)

#2 (1984). PRESENTATIONS: Recent Developments in Trademark Law - 1984, A Year of Subtle Distinction(s), American Intellectual Property Law Assn., Annual Meeting, Washington, DC (October 26, 1984); Highlights of Recent Trademark Law Cases of Interest to Patent and Trademark Lawyer Alike, Los Angeles Patent Law Assn., Spring Seminar, Santa Barbara, Calif. (May 5, 1985).

Alvin L. Goldman, Alumni Professor of Law. PUBLICATIONS: Comparative Study of the Determination of Worker Remuneration: A Micro-Dynamic Analysis, 6 *Comp. Lab. L.* 229 (1984); annotated case reports (as U.S. co-reporter), *International Labour Law Reports*. PRESENTATIONS: Chronic and Excessive Absences, Annual Coal Arbitration Seminar, December, 1985; Protecting the Worker Whose Employer is Insolvent, Seminar on Labor and Employment Law, Office of Continuing Legal Education, University of Kentucky College of Law, January, 1985. Work in Progress: U.S. correspondent, Worker Access to the Real Decision Makers, (with R. Blanpain); U.S. corresponding editor, Belgian report, National Academy of Arbitrators' Comparative Dispute Resolution Project.

Willburt D. Ham, Dorothy Salmon Professor of Law. PRESENTATIONS: Panelist, Insider Trading Developments, Seminar on Securities Law, Office of Continuing Legal Education, University of Kentucky College of Law, February 15-16, 1985.

Martin J. McMahon, Jr., Alumni Professor of Law. PUBLICATION: 1985 Cumulative Supplement to Bittker's *Fundamentals of Federal Income Taxation*, Student Edition (Warren, Gorham & Lamont), scheduled for June publication; Reforming Cost Recovery Allowances for Debt Financed Depreciable Property, scheduled for publication in a special tax reform symposium issue of Vol. 29, *St. Louis University Law Journal*, to be published in June, 1985. PRESENTATIONS: Deductible Expenses, Capital Expenditures and the Depletion Allowance, at the University of Kentucky College of Law Ninth Annual Seminar on Mineral Law, October 27, 1984; Fundamentals of Federal Income Taxation of Coal, Oil & Gas Operations, at the Eastern Mineral Law Foundation Special Institute on Basic Coal, Oil and Gas Law, held in Charleston, West Virginia, on March 13 and 14, 1985.

David C. Short, Associate Professor and Director of the Mineral Law Center, has published the 1984 Coal Law Update as a part of the Eastern Mineral Law Foundation's Fifth Annual Institute Proceedings. (5 *Eastern Min. L. Inst.* [1984], Matthew Bender & Co.) He has also been appointed vice chairman of the

E.M.L.F.'s teaching committee for 1984-85 and will serve as chairman of that same committee for the 1985-86 term. In addition, he has served as a trustee-at-large of the Eastern Mineral Law Foundation since 1982.

Professor Short serves as vice chairman of the American Bar Association Natural Resources Section Coal Committee. He also organized and served as first chairman of the Kentucky Bar Association Natural Resources Section during 1983-84 and currently serves as a member of the Executive Committee.

He organized and presented the 9th Annual Mineral Law Seminar with more than 200 attendees in October, 1984, the Current Environmental and Natural Resources Issues in Kentucky Seminar in April and the 10th Annual Mineral Law Seminar for November 1-2, 1985.

Professor Short currently serves as Editor-in-Chief for the *Journal of Mineral Law and Policy*, the first issue of which is scheduled to go to the printer in June, 1985. He is also Managing Editor of the *Kentucky Mineral Law Manual*, which will be published in September, 1985 by Banks Baldwin Publishing Company. The manual is a comprehensive work targeted for the general practitioner. A prodigious effort, with 49 authors and 10 editors, it will be the first Kentucky practitioner's manual on Mineral Law.

Carroll D. Stevens, Associate Dean. PRESENTATIONS: What's Wrong with Education for the Professions?, with David H. Maister, Harvard Graduate School of Business and John S. Siamas, Jackson Tufts, Cole and Black; Perspectives on the Placement and Hiring Process, with Roger C. Cramton, Cornell Law School, Janet Cooper, Morrison & Foerester, and Jeffrey C. Hayes, Pepper, Hamilton & Scheetz; Uplifting the Down-trodden: Counseling Students Who Failed the Bar Exam, 14th Annual Conference, National Association for Law Placement, San Francisco, California, April 22-24, 1985. ACTIVITIES: Site evaluator, Section of Legal Education and Admissions to the Bar (Accrediting Authority for Institutions of Legal Education), American Bar Association, 1985. Member, Board of Editors, *Kentucky Bench and Bar*, 1985. Member, Council, Section on Institutional Advancement, Association of American Law Schools, 1985.

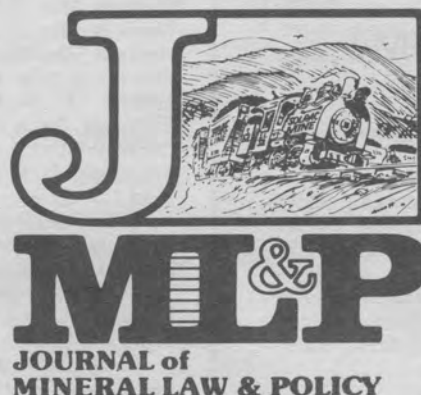
Thomas J. Stipanowich, Assistant Professor of Law. PUBLICATIONS: Proposed Revisions to Kentucky's Uniform Commercial Code and Their Potential Impact (with Graham and Weinberg), to be published in the coming survey issue of the *Kentucky Law Journal*. PRESENTATIONS: Alternative Dispute Resolution Processes, Seminar on Business Litigation, Office of Continuing Legal Education, University of Kentucky College of Law, December 14-15, 1984. ACTIVITIES: Member, American Arbitration Association Panel of Commercial Arbitrators, Architect/Engineer Professional Service Committee of the Public Contracts Section of the American Bar Association, Forum Committee on the Construction Industry, American Bar Association; instructor, "Learning About the Law", a course for gifted high school-age students, Summer, 1985.

Richard H. Underwood, Associate Professor of Law. PUBLICATIONS: Discovery in Kentucky: An Overview, 72 Ky. L.J. 727 (1983-84); Taking and Pursuing a Case: Some Observations on Legal Ethics and Attorney Accountability, to be published in an upcoming issue of the *Kentucky Law Journal*. ACTIVITIES: Chairman, Special Committee on the Code and Model Rules, Kentucky Bar Association; Team Leader, Sixth Annual Nine-Day Intensive Course in Trial Advocacy, Office of Continuing Legal Education, University of Kentucky College of Law, May 14-24, 1985.

Harold R. Weinberg, Alumni Professor of Law. PUBLICATIONS: Corporations and Corporate Agents: Liability on Commercial Paper Contracts and Attainment of Holder Status, *Commercial Law Journal*; Modernizing Kentucky's Uniform Commercial Code, accepted by the *Kentucky Law Journal*. PRESENTATIONS: Proposed Uniform Amendments to Kentucky's Uniform Commercial Code, Seminar for Bank Counsel, Office of Continuing Legal Education, University of Kentucky, 1985.

Frederick W. Whiteside, Professor Emeritus of Law. ACTIVITIES: Member, Governor's Task Force for Older Kentuckians, 1985.

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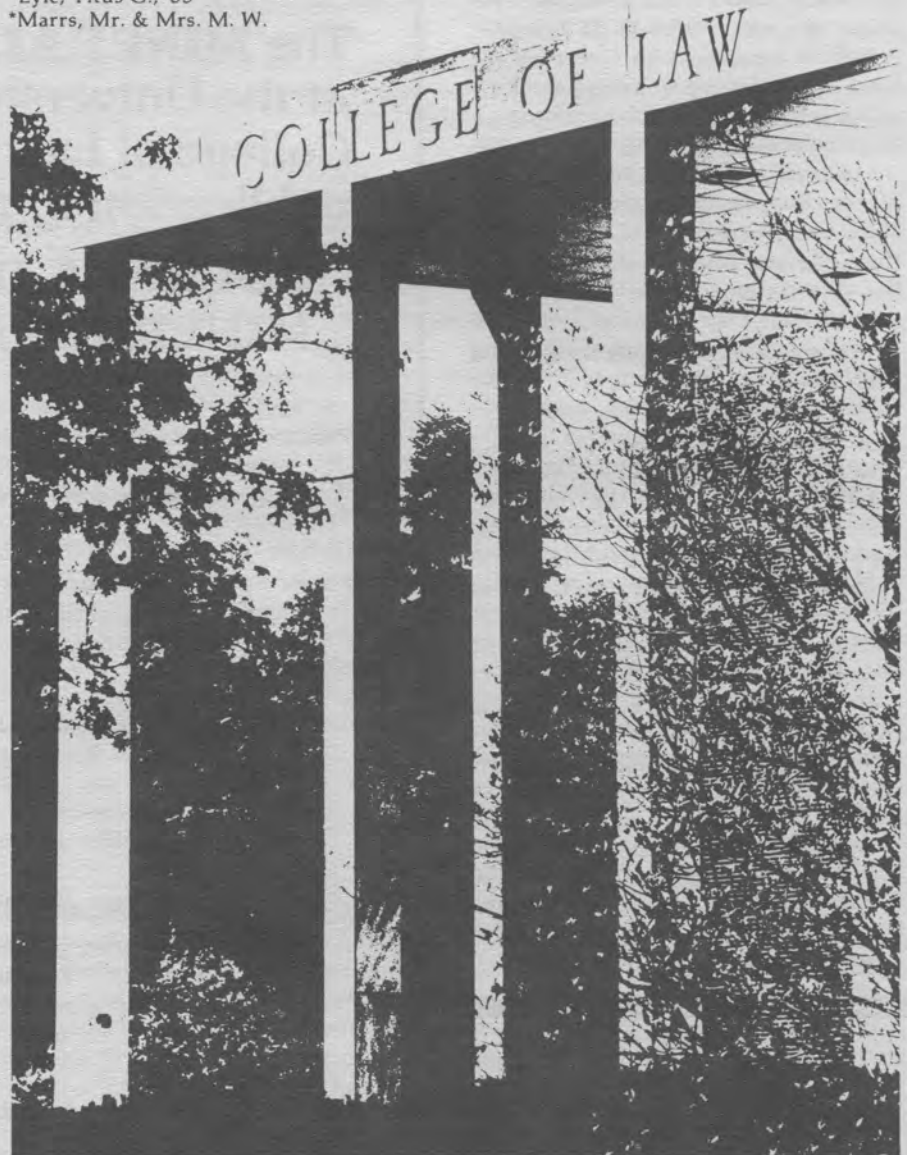
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[Gifts made to the College during the period
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Dean's Discretionary Fund (includes all Cherry Challenge gifts made during the period)	233,092.94
Amos H. Eblen Faculty Development Fund	250.00
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Scholarships	20,911.95
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Historically Disadvantaged	450.00
J. Woodford and Florence Stephens Howard Memorial	5,432.48
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William Edward Mills Memorial	50.00
Frank Murray Memorial	1,125.00
Lawrence and Catherine Saffer	5,000.00
Dorothy Salmon	1,235.00
Student Services	145.00
Total Receipts, 1984 College of Law Fund	324,169.89

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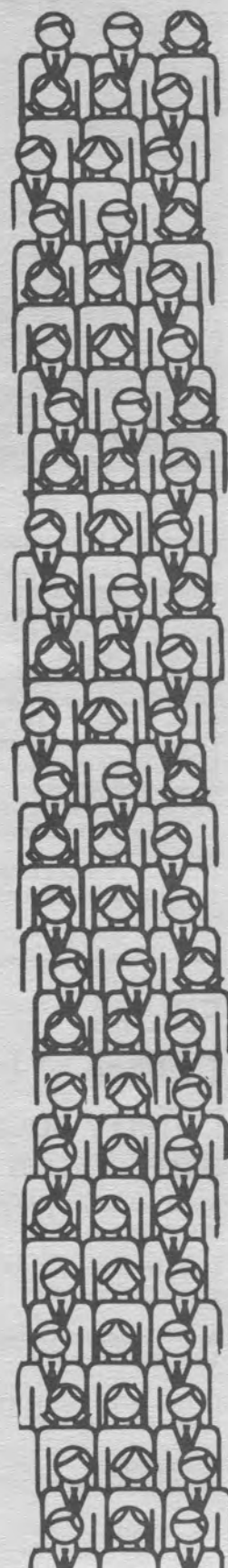
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